

FIRST REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 14

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

0447S.01I

ADRIANE D. CROUSE, Secretary

## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 25(a) and 25(d) of article V of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the selection of judges.

*Be it resolved by the Senate, the House of Representatives concurring therein:*

That at the next general election to be held in the  
2 state of Missouri, on Tuesday next following the first Monday  
3 in November, 2022, or at a special election to be called by  
4 the governor for that purpose, there is hereby submitted to  
5 the qualified voters of this state, for adoption or  
6 rejection, the following amendment to article V of the  
7 Constitution of the state of Missouri:

Section A. Sections 25(a) and 25(d), RSMo, are repealed  
2 and two new sections adopted in lieu thereof, to be known as  
3 sections 25(a) and 25(d), to read as follows:

Section 25(a). **Whenever a vacancy shall occur in the  
2 office of judge of the supreme court or the court of  
3 appeals, the governor, by and with the advice and consent of  
4 the senate, shall appoint one person possessing the  
5 qualifications for such office to fill such vacancy.**

6 Whenever a vacancy shall occur [in the office of judge of  
7 any of the following courts of this state, to wit: The  
8 supreme court, the court of appeals, or] in the office of  
9 circuit or associate circuit judge within the city of St.  
10 Louis and Jackson county, the governor shall fill such

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

11 vacancy by appointing one of three persons possessing the  
12 qualifications for such office, who shall be nominated and  
13 whose names shall be submitted to the governor by a  
14 nonpartisan judicial commission established and organized as  
15 hereinafter provided. If the governor fails to appoint any  
16 of the nominees within sixty days after the list of nominees  
17 is submitted, the nonpartisan judicial commission making the  
18 nomination shall appoint one of the nominees to fill the  
19 vacancy.

Section 25(d). Nonpartisan judicial commissions whose  
2 duty it shall be to nominate and submit to the governor  
3 names of persons for appointment as provided by sections  
4 25(a)-(g) are hereby established and shall be organized on  
5 the following basis: [For vacancies in the office of judge  
6 of the supreme court or of the court of appeals, there shall  
7 be one such commission, to be known as "The Appellate  
8 Judicial Commission";] for vacancies in the office of  
9 circuit judge or associate circuit judge of any circuit  
10 court subject to the provisions of sections 25(a)-(g) there  
11 shall be one such commission, to be known as "The \_\_\_\_\_  
12 Circuit Judicial Commission", for each judicial circuit  
13 which shall be subject to the provisions of sections 25(a)-  
14 (g) [; the appellate judicial commission shall consist of a  
15 judge of the supreme court selected by the members of the  
16 supreme court, and the remaining members shall be chosen in  
17 the following manner: The members of the bar of this state  
18 residing in each court of appeals district shall elect one  
19 of their number to serve as a member of said commission, and  
20 the governor shall appoint one citizen, not a member of the  
21 bar, from among the residents of each court of appeals  
22 district, to serve as a member of said commission, and the  
23 members of the commission shall select one of their number

24 to serve as chairman]. Each circuit judicial commission  
25 shall consist of five members, one of whom shall be the  
26 chief judge of the district of the court of appeals within  
27 which the judicial circuit of such commission, or the major  
28 portion of the population of said circuit is situated and  
29 the remaining four members shall be chosen in the following  
30 manner: The members of the bar of this state residing in the  
31 judicial circuit of such commission shall elect two of their  
32 number to serve as members of said commission, and the  
33 governor shall appoint two citizens, not members of the bar,  
34 from among the residents of said judicial circuit to serve  
35 as members of said commission, the members of the commission  
36 shall select one of their number to serve as chairman; and  
37 the terms of office of the members of such commission shall  
38 be fixed by law, but no law shall increase or diminish the  
39 term of any member then in office. No member of any such  
40 commission other than a judge shall hold any public office,  
41 and no member shall hold any official position in a  
42 political party. Every such commission may act only by the  
43 concurrence of a majority of its members. The members of  
44 such commission shall receive no salary or other  
45 compensation for their services but they shall receive their  
46 necessary traveling and other expenses incurred while  
47 actually engaged in the discharge of their official duties.  
48 All such commissions shall be administered, and all  
49 elections provided for under this section shall be held and  
50 regulated, under such rules as the supreme court shall  
51 promulgate.

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